



Division of Financial Practices
Bureau of Consumer Protection

UNITED STATES OF AMERICA
Federal Trade Commission
Washington, D.C. 20580

VIA CM/ECF

February 13, 2024

Hon. Sarah L. Cave
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
Courtroom 18A
500 Pearl Street
New York, NY 10007

**RE: *Federal Trade Commission v. Voyager Digital, LLC, et al.*, No. 1:23-cv-08960
(S.D.N.Y.)**

Joint Letter Motion Seeking Entry of Proposed Protective Order

Dear Magistrate Judge Cave:

The Federal Trade Commission ("FTC") and Defendant Stephen Ehrlich and Relief Defendant Francine Ehrlich (collectively, "Defendants," and, together with the FTC, "the Parties") respectfully request that the Court enter the Proposed Protective Order (**EXHIBIT A**) differing from the Court's model and have attached a blackline comparison to the Court's model order (**EXHIBIT B**).

The Parties have retained the Court's good faith requirement for designation; much of the Court's definition of Confidential Information; the Court's statement that nothing in the protective order constitutes an admission by any party that Confidential Information disclosed in this case is relevant or admissible; and the Court's statement relating to waiver of the privilege to assert confidentiality.

The Parties' proposed order similarly makes provision for who may see Confidential Information; how non-parties may sign onto the protective order; how Confidential Information in deposition transcripts should be handled; and how the Parties may handle what they call Sensitive Personal Information and the Court's model order refers to as PII. The Parties do not believe that the proposed order conflicts with the Court's individual practices regarding electronic filing under seal, with which the Parties intend to comply. The Parties' proposed order also makes provision for the appropriate destruction of Confidential Information.

The parties' request at ECF No. 51 is GRANTED. By separate order, the Court will enter the parties' proposed Protective Order.

The Clerk of Court is respectfully directed to close ECF No. 51.

SO ORDERED 2/14/2024


SARAH L. CAVE
United States Magistrate Judge